Amendments to the Urban Land (Ceiling and Regulation) Act

*109. SHRI SURESH KALMADI: Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government have taken a final decision to amend Urban Land (Ceiling and Regulation) Act in the light of observations of the National Commission on Urbanisation;

(b) if so, what are the details of the observations made by the National Commission on Urbanisation in this regard; and

(c) by when an amending Bill is likely to be brought forward?

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI MOHSINA KIDWAI): (a) to (c) The recommendations made by the National Commission on Urbanisation in their Interim Report, regarding the Urban Land (Ceiling and Regulation) Act, 1976 are set out in the Statement laid on the Table of the Sabha. (*See* below) They are under consideration and the Government proposes to bring forward the amendment Bill as early as possible.

Statement

Recommendations made by the National Commission on Urbanisation on Urban Land (Ceiling and Regulation) Act, 1976 in its interim report.

(1) The Act must remain on the Statute Book, all excess lands must be identified and notified as surplus and be made liable to acquisition.

(2) All surplus vacant land must be quickly released for city development, in particular housing, with special emphasis on housing for the middle and lower income groups and the economically weaker sections.

(3) In order that the owners of surplus land be encouraged to use it for house construction rather than indulge in unnecessary litigation to retain it, they may be permitted, with a minimum of formality, to build housing units of the prescribed limit of 80 square metres of plinth area.

(4) If the owners are unable to construct such dwellings, they may be permitted to transfer the land to a cooperative housing society which may either develop Group Housing or make land available in plots of not more than 100 sq. mtrs. to its members for house construction.

(5) The facility mentioned in items (3) and (4) above will be available for five years from the prescribed date. If, within this period, the land has not been utilised as above, the provisions of sections 10, 11 and 14 of the Act will be applied *ipso-facto*.

(6) During the period of 5 years permitted for utilisation of the land in the prescribed manner, the surplus vacant land should be subject to a cess/tax. The amount of such cess/tax should be Rs. 3 per square metre in category D towns. In category C, B and A towns, the Central or State Government, by general or special notification, may prescribe a cess/tax ranging from Rs. 5/- to Rs. 50 per square metre, depending on location, value etc. of land. This tax/cess will be applicable to vacant Government land also. Where land is held by a Housing Cooperative Society as plotted development the society will be responsible for paying the cess/tax on all unbuilt plots.

(7) The land owner will cease to pay cess/tax on completion of construction equivalent to at least 50 per cent of the prevailing FAR/FSI

(8) Where within the prescribed period of five years the land has been brought under construction, but the said construction is in violation of the prescribed use of plinth area, a penalty amounting to a hundred times the prescribed vacant land cess/tax shall be imposed on the holders of the land. Such a penalty will be recoverable as

arrears of land revenue. Alternatively, the State will have the option to confiscate the land and the structures built thereon.

(9) Properties consisting of buildings and lands notified as being of archaeological, historical and cultural significance by a Competent Authority be included in Section 19 of the Act.

(10) Recognising that the State must continue to provide land and shelter to the urban poor, the Commission recommends that the entire proceeds of the vacant land cess/tax and penalities for mis-use be credited to a Shelter Fund. The proceeds of the shelter fund would be wholly applied to the city from which it is collected and will be specifically utilised for land acquisition and development of serviced sites for the urban poor and for construction of housing for them. On a very conservative estimate deducting from the declared surplus vacant land of 1 66 lakhs hectares approximately 43000 hectares for which exemption has been given, leaves a balance of 1.23 lakhs hectares. Even on a modest rate of Rs. 5/- per square metre, it should be possible to get approximately Rs. 600 crores per annum for the Shelter Fund.

National consensus on reservations

*110. SHRI KAILASH PATI MISHRA:
SHRI ATAL BIHARI VAJPAYEE:

Will the Minister of WELFARE be pleased to state:

(a) the date on which the Prime Minister had announced that Government would have a national consensus evolved, on the issue of reservations for other backward classes; and

(b) the follow-up action taken since then and with what results?

THE MINISTER OF STATE OF THE MINISTRY OF WELFARE (DR. RAJENDRA KUMAR) BAJPAI): (a) and (b) In a Press Conference held at Ahmedabad on 23rd March, 1985, the Prime Minister, in reply to a question, had stated that we will have to talk to the people and State authorities and see what they have to say. The Home Minister had hence in May 1985 addressed Chief Ministers suggesting them to maintain *status quo* on the issue of reservations for Other Backward Classes till a National consensus is evolved. Government continues to be of the view that *status quo* should be maintained on this issue till a consensus is evolved.

Supply of rapeseed oil to West Bengal

*111. SHRI SUKOMAL SEN: Will the Minister of FOOD AND CIVIL SUPPLIES be pleased to state:

(a) what is the reason that the country is facing an acute crisis in respect of the supply of edible oil;

(b) whether it is a fact that West Bengal has not been supplied with the required quota of rapeseed and rapeseed oil leading to an edible oil scarcity in that State; and

(c) what are the details of the supply of the same to West Bengal and what was West Bengal's demand during the period from January, 1987 to October, 1987?

THE MINISTER OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF FOOD AND CIVIL SUPPLIES (SHRI H. K. L. BHAGAT): (a) Widespread and severe drought conditions in the country have led to shortfall in oilseeds production and consequently in edible oil supply.

(b) and (c) There has been some shortfall in supply of imported edible oil to West Bengal from August to October, 1987 due to certain constraints. As against a demand by the State Government of 1,86,000 MTs for the oil year 1986-87 (Nov.—Oct.), the